

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DEJA VU OF NASHVILLE, INC.;)	
MICHAEL RUCKER; MICHAEL)	
BUTLER; MERONEY)	
ENTERTAINMENT, INC.;)	
THE PLEASURE PALACE, INC.;)	
CAROUSEL AMUSEMENT CENTER,)	
INC.; DAWN PIERCE; and)	
ELIZABETH MARTZ)	
)	No. 3-97-1066
v.)	
)	
METROPOLITAN GOVERNMENT)	
OF NASHVILLE AND DAVIDSON)	
COUNTY, TENNESSEE, and)	
EMMITT TURNER, Chief of Police)	
and)	Consolidated with
JERRY C. PENDERGRASS; 822)	3-97-1176
CORPORATION; and 421)	
CORPORATION)	
)	
v.)	
)	
METROPOLITAN GOVERNMENT)	
OF NASHVILLE AND DAVIDSON)	
COUNTY, TENNESSEE)	

TO: Honorable Todd J. Campbell, Chief Judge

REPORT AND RECOMMENDATION

Pending before the Court is the plaintiffs' fifth motion for attorney fees (Docket Entry No. 329), seeking an award of attorney's fees in the amount of \$71,335.00, and costs in the amount of \$17,288.34, for the law firm of Shafer & Associates, P.C., and costs in the amount of \$1,257.50, for the law firm of Sirkin, Pinales & Schwartz, LLP, for a total award of \$89,880.84.

By order entered July 24, 2006 (Docket Entry No. 335), the Court referred the motion to the Magistrate Judge for a report and recommendation.

On August 7, 2006, the defendants filed a response (Docket Entry No. 336) to the motion, indicating that they had no objection to the plaintiffs' fifth motion for attorneys' fees and expenses in the amount of \$89,880.84.

Therefore, the Magistrate Judge recommends that the plaintiffs' fifth motion for attorney fees (Docket Entry No. 329), be GRANTED as unopposed, and that the plaintiffs be awarded a total amount of \$89,880.84, in attorneys' fees and expenses, as follows:

1. The amount of \$88,623.34, including \$71,335.00 in fees and \$17,288.34, in expenses, payable to Shafer & Associates, P.C.; and
2. The amount of \$1257.50, for expenses, payable to Sirkin, Pinales & Schwartz, LLP.

Any objections to this Report and Recommendation must be filed with the Clerk of Court within ten (10) days of receipt of this notice, and must state with particularity the specific portions of this Report & Recommendation to which objection is made. Failure to file written objections within the specified time can be deemed a waiver of the right to appeal the District Court's order. See Thomas v. Arn, 474 U.S. 140 (1985); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Respectfully Submitted,


JULIET GRIFFIN
United States Magistrate Judge